

## UNITED STATES DISTRICT COURT

for the

District of Minnesota

United States of America )

v. )

Curtis Lee Davis )

Case No: 03-024 (JRT/FLN)USM No: 10817-041Date of Previous Judgment: 11/14/2003 )

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months months **is reduced to** 120 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: 7 (IV)Criminal History Category: 7 (IV)Previous Guideline Range: 121 to 151 monthsAmended Guideline Range: 120 to        months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 11/14/2003 shall remain in effect.

**IT IS SO ORDERED.**Order Date: 04/27/2009s/John R. Tunheim

Judge's signature

Effective Date:                       
(if different from order date)

John R. Tunheim, United States District Court Judge

Printed name and title